

Applicant	S. Prescott	
Request	Vacate a portion of S.W. 6 th Avenue	
Location	6 th Avenue between S.W. 11 th Street and S.W. 10 th Street As shown on the attached location map	
Legal Description	A portion of S.W. 6 th Avenue	
Property Size	N/A	
Zoning	RD-15	
Existing Land Use	Right-of-Way	
Future Land Use Designation	Residential Medium	
Comprehensive Plan Consistency	Consistent	
Other Required Approvals	City Commission	
Applicable ULDR Sections	Sec 47-24.6 Vacation of Rights-of-Way	
Notification Requirements	Sign Notice and Mail Notice	
Action Required	Approve, Approve with conditions, or Deny the application	
Project Planner	Name and Title	Initials
	Kevin Erwin, Planner I	
	Chris Barton, AICP, RLA, Principal Planner	
	Bruce Chatterton, AICP, Planning and Zoning Services Manager	
Authorized By		
Approved By		

Request:

This is a request to vacate a portion of S.W. 6th Avenue between the east/west alley and S.W. 10th Street and between Lot 43, Block 33, River Section of Croissant Park, P. B. 7, P. 50 and Lot 24, Block 14, Plat of Lauderdale, P. B. 2, P. 9.

TECO Peoples Gas and Comcast Cable have indicated that they have no facilities in the area to be vacated and therefore have no objection to the vacation. FPL and BellSouth have indicated that they have no objection as long as a five foot easement is provided along the north portion of the area to be vacated.

Pursuant to ULDR Section 47.24.6, Vacation of Rights-Of-Way, the applicant has provided **Exhibit 1** relative to how the request meets the vacation criteria. Staff concurs with the applicant's assessment.

Prior Reviews:

This proposal was reviewed by the DRC on July 22, 2003 and all comments have been addressed. The proposal was reviewed by the Property and Right of Way Committee on May 15, 2003 and recommended approval of the vacation request, subject to the following conditions:

That provisions satisfactory to the City Engineer be included to protect the public/private utilities in the area.

That the applicant look into vacating the entire portion of S.W. 6th Avenue between S.W. 10th Street and S.W. 11th Street.

Planning & Zoning Board Review Options:

1. If the Planning and Zoning Board determines that the proposed vacation meets the criteria the Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for vacation of rights-of-way.
2. If the Planning and Zoning Board determines that the proposed vacation does not meet the criteria for vacation of rights-of-way, the Planning and Zoning Board shall deny the application.

Staff Determination:

Staff has determined that the proposed vacation meets the criteria in Sec 47-24.6.

Should the Board approve the proposed vacation, the following conditions are proposed by staff:

1. That provisions satisfactory to the City Engineer be included to protect the public/private utilities in the area.
2. That a utility easement satisfactory to the City and the franchise utilities be dedicated and recorded prior to the vacation becoming effective.
3. Final DRC approval.

Memorandum 8-P-03
November 19, 2003
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